

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Criminal Minute Order

FILED

AUG 13 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

The Honorable Claudia Wilken, Presiding
Clerk: Sheilah Cahill
Court Reporter: Raynee Mercado
Date: 8/13/8

Plaintiff: United States

v.

No. CR-07-00488 CW

Defendant: Cory Kautzman (present - in custody)
Bobby Alexander (present - in custody)

Appearances for Plaintiff:
Keslie Stewart

Appearances for Defendant:
Gail Shifman for Dft. Kautzman
Garrick Lew for Dft. Alexander

Probation Officer:
Brian Casai

Hearing: Sentencing

Notes: Cory Kautzman: Defendant and counsel have read PSR; P/O to amend face page of PSR to reflect ¶14. Court finds Offense Level 10, Criminal History VI, leading to a Guideline Range of 24-30 months. Based on conditional plea agreement and 3553 factors the Court finds 12 months and one day to be a reasonable and appropriate sentence. The Court sentences the defendant to 12 months and one day, to be followed by 3 years supervised release under the usual terms and conditions and special conditions set forth in the PSR. No fine imposed due to lack of ability to pay a fine. Defendant to pay \$22,489.25 restitution (joint and several with co-defendants) and \$100 special assessment due immediately but may be paid through the defendant's participation in the Bureau of Prisons' Inmate Financial Responsibility Program. While incarcerated, payment of criminal monetary penalties shall be at the rate of \$25 per quarter. Any balance that remains unpaid at the commencement of the term of supervised release shall be paid at the rate of \$100 per month. Court will recommend placement as close to the Bay Area as possible, but leave credit for time served up to the BOP. Defendant remanded to custody of U.S. Marshal. See J&C for details.

Bobby Alexander: Defendant and counsel have read PSR. Court finds Offense Level 10, Criminal History VI, leading to a Guideline Range of 24-30 months. Based on conditional plea agreement and 3553 factors, the Court sentences the defendant to 12 months and one day, to be followed by 3 years supervised release under the usual terms and conditions and special conditions set forth in the PSR. No fine imposed due to lack of ability to pay a fine. Defendant to pay \$15,918.72 restitution (joint and several with co-defendants) and \$100 special assessment due immediately but may be paid through the defendant's participation in the Bureau of Prisons' Inmate Financial Responsibility Program. While incarcerated, payment of criminal monetary penalties shall be at the rate of \$25 per quarter. Any balance that remains unpaid at the commencement of the term of supervised release shall be paid at the rate of \$100 per month. Court will recommend placement as close to the Bay Area as possible, but leave credit for time served up to the BOP. Defendant remanded to custody of U.S. Marshal. See J&C for details.

Copies to: Chambers